

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty MJW-39-187
Dkt.

C# M#

BLAKE et al

TC/A.U.

1625

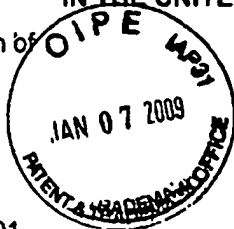
Serial No. 09/367,261

Examiner: Dentz, B.

Filed: August 10, 2001

Date: January 7, 2009

Title: DRUG TARGETING



2009 JAN -8 PM 4:29

RCE\$
CC
Def & Res

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REFUND REQUEST

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment 0 minus highest number
previously paid for 20 (at least 20) = 0 x \$52.00 \$0.00 (1202)/\$0.00 (2202) \$

Independent claims after amendment 0 minus highest number
previously paid for 3 (at least 3) = 0 x \$220.00 \$0.00 (1201)/\$0.00 (2201) \$

If proper multiple dependent claims now added for first time, (ignore improper); add
\$390.00 (1203)/\$0.00 (2203) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s)
One Month Extension \$130.00 (1251)/\$0.00 (2251)
Two Month Extensions \$490.00 (1252)/\$0.00 (2252)
Three Month Extensions \$1110.00 (1253)/\$0.00 (2253)
Four Month Extensions \$1730.00 (1254)/\$0.00 (2254)
Five Month Extensions \$2350.00 (1255)/\$0.00 (2255) \$
Terminal disclaimer enclosed, add \$140.00 (1814)/ \$0.00 (2814) \$

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee \$180.00 (1806) \$ 0.00

Assignment Recording Fee \$40.00 (8021) \$ 0.00

Other: \$ 0.00

TOTAL FEE \$ 0.00☐ **CREDIT CARD PAYMENT FORM ATTACHED.**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140.

901 North Glebe Road, 11th Floor
Arlington, Virginia 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
MJW:tat

NIXON & VANDERHYE P.C.
By Atty: Mary J. Wilson, Reg. No. 32,955

Signature: Mary J. Wilson

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BLAKE et al

Serial No. 09/367,261

Filed: August 10, 2001

For: DRUG TARGETING



Atty. Ref.: MJW-39-187

TC/A.U.: 1625

Examiner: Dentz, B.

Confirmation No.: 4136

* * * * *

January 7, 2009

Mail Stop 16

Director of the U.S. Patent and Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

REFUND REQUEST

Sir:

On November 30, 2007, the Patent Office debited the undersigned's firm account in the amount of \$70 (Code 1463) for Petitions requiring the petition set forth in 37 CFR 1.17(g) (Group II). This fee is believed to have been debited in error.

On November 6, 2007, an RCE was filed, together with an Amendment Under Rule 116. At that time, the following fees were paid by credit card: \$405 (code 2801), \$525 (code 2253) and \$130 (code 1808 – processing fee under 37 CFR 1.17(i)). Attached are copies of the RCE Transmittal coversheet submitted November 6, 2007 noting the payment of the required small entity fees, the credit card payment form and the postcard receipt date stamped November 6, 2007 evidencing the payment of the fees. It is believed that all fees due at that time were properly paid on November 6, 2007. Therefore, kindly refund the undersigned's firm account (Account No. 14-1140, Order No. 39-187) in the amount of \$70.

BLAKE et al

Serial No. 09/367,261

When this is approved, please return a copy of this request marked "approved" directly to the undersigned for which purposes this request is submitted in triplicate.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:

Mary J. Wilson

Mary J. Wilson
Reg. No. 32,955

MJW:tat

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Mary J. Wilson
Reg. No. 32,955

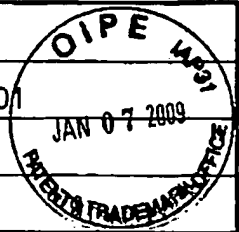
MJW:tat
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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/367,261
Filing Date	August 10, 2001
First Named Inventor	BLAKE
Group Art Unit	1625
Examiner Name	Dentz, B.
Attorney Docket Number	MJW-39-187



This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for continued Examination (RCE) practice under 37 C.F.R. § 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 C.F.R. § 1.114.

- a. ☐ Previously submitted (Note: Any previously filed unentered amendments will be entered unless applicant instructs otherwise. If applicant does not wish to have previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).)
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply Under Rule 116
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☒ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of 3 months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)
- b. ☐ Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ Applicant claims "small entity" status.
- b. ☒ Fees are attached as calculated below:
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) \$810.00 (1801)/\$405.00 (2801) \$ 405.00
- ii. ☒ Petition is made to extend the due date 3 months (less months previously paid) \$ 525.00
- iii. ☒ Other Processing Fee Under 37 CFR 1.17(i) \$ 130.00
- c. ☐ Check in the amount of \$ _____ enclosed.
- d. ☒ Payment by credit card (credit card payment form attached) in the amount of \$ 1060.00
- e. ☒ The Director is hereby authorized to charge any deficiency in the fee(s) filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm), to Deposit Account No. 14-1140

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print Type)	Mary J. Wilson	Registration No. (Attorney/Agent)	32,955
Signature	<i>Mary J. Wilson</i>	Date	November 6, 2007

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print Type)	
Signature	
Date	

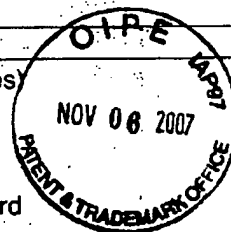
Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, Box RCE, P.O. Box 1450, Alexandria, VA 22313-1450.



Serial No.: 09/367,261
Applicant: BLAKE et al
Title: DRUG TARGETING
Atty: MJW
Date: 11-6-2007
Client: MARKS & CLERK
Ref: 39-187

☒ Amendment UNDER RULE 116
☐ Pages Specification
☐ Claims
☐ Sheets Drawings: Formal
☐ Informal
☐ Declaration (____ Pages)
☐ Assignment
☐ Priority Document

Base Issue Fee Transmittal
\$1000.00 Fee: ☐ Check ☒ Credit Card



Other: RCE TRANSMITTAL COVER SHEET

W
+ RCE #

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL	Application Number	09/367,261
	Filing Date	August 10, 2001
	First Named Inventor	BLAKE
	Group Art Unit	1625
	Examiner Name	Dentz, B.
	Attorney Docket Number	MJW-39-187

Address to:
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOV 06 2007
PATENT & TRADEMARK OFFICE

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a. ☐ Previously submitted (Note: Any previously filed unentered amendments will be entered unless applicant instructs otherwise. If applicant does not wish to have previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).)

i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

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b. ☒ Enclosed

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ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☐ Other _____

11/07/2007 HBELETE1 00000058 09367261
02 FC:2801 405.00 OP
03 FC:1463 70.00 DA 130.00 OP

2. **Miscellaneous**

a. ☒ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of 3 months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print Type)	Mary J. Wilson	Registration No. (Attorney/Agent)	32,955
Signature	Mary J. Wilson	Date	November 6, 2007

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Adjustment dates: 01/12/2009 HDESTA1 00000014 09367261
11/07/2007 HBELETE1 00000058 141140 09367261
03 FC:1463 70.00 CR -130.00 OP 01 FC:1464 130.00 OP